

CONCILIATION AND NATIONALITY!

SPEECH

OF

HON. S. S. COX, OF OHIO.

DELIVERED IN THE HOUSE OF REPRESENTATIVES, JANUARY 14, 1861.

The House being in Committee of the Whole on the state of the Union, and having under consideration the Army bill—Mr. COX said:

MR. CHAIRMAN: I speak from and for the capital of the greatest of the States of the great West. That potential section is beginning to be appalled at the colossal strides of revolution. It has immense interests at stake in this Union, as well from its position as its power and patriotism. We have had infidelity to the Union before; but never in such a fearful shape. We had it in the East during the late war with England. Even so late as the admission of Texas, Massachusetts resolved herself out of the Union. That resolution has never been repealed; and one would infer, from much of her conduct, that she did not regard herself as bound by our covenant. Since 1856, in the North, we have had infidelity to the Union, more by insidious infractions of the Constitution, than by open rebellion. Now, sir, as a consequence, in part, of these very infractions, we have rebellion itself, open and daring, in terrific proportions, with dangers so formidable as to seem almost remediless.

From the time I took my seat this session, I have acted and voted in every way to remove the causes of discontent and to stop the progress of revolution. At the threshold, I voted to raise the committee from each State; and I voted against excusing the members who sought to withdraw from it, because I believed then, that such a committee, patriotically constituted, as I believe it was, had in it much of hope and safety; and because, to excuse members from service on it, upon the ground of secession, was to recognize the heresy. I am ready to vote now for any salutary measure which will bring peace and preserve the Union. Herodotus relates that when Mardonius was encamped in Boeotia, before the battle of Plataea, he and fifty of his officers were invited to meet the same number of Thebans at a banquet, at which they reclined in pairs, a Persian and a Theban upon each couch. During the entertainment one of the Persians, with many tears, predicted to his Theban companion the speedy and utter destruction of the invading army, and when asked why he used no influence with Mardonius to avert it, he answered:

"When one would give faithful counsel, nobody is willing to believe him. Although many of us Persians are aware of the end we are coming to, we still go on, because we are bound to our destiny; and this is the very bitterest of a man's griefs, to see clearly, but to have no power to do anything at all."

I believe, sir, that the events now transpiring are big with disaster to my country. I have done my humble part for years to prevent them; but I do not see now that any effort on my part can avail; and this is the bitterest of a man's grief. It is in such a peril as this that the heart spontaneously prays for a nearer communication with a divine prescience. We long for some direction from a superior power, in whose great mind the end is seen from the beginning. At least, one might wish for some magic mirror of Merlin, in which to see the foes of our country approach, so as rightly to guard against them.

Four States have, in so far as they could, by their own act, separated from our Federal Union. This is one of the stern facts which this Congress has to encounter. The Government is passing through one of those historic epochs incident to all nationalities. Our prosperity has made us proud, rich, intolerant, and self-sufficient; and therefore prone to be rebellious. We have waxed fat—are doing well, "tempestuously well." Ascending to the height of a national glory, through a national unity, we are in danger of falling by our own dizziness. We are called upon to break down and thrust aside the very means of our ascent—the Constitution itself.

In such a time, the bitter crimination and vain threats and insults of party and of sections are out of place. They should not turn the people of the North from doing their whole duty to the South; nor the South from a more deliberate review of its past and a more prudential view of its perilous future. No man has the right to say or do aught that will further exasperate the public sentiment of the South. No good man in the North can oppose any measure of honorable recession from wrong. I cannot speak of South Carolina in the tone and temper of some. She has been a part of our national life. Her blood is in our veins; her Marions, Sumters, and Pinckneys are ours. Eutaw, Cowpens, and Camden; are they not a part of that glory, which no more can be separated from the Union than the dawn from the sun? Whatever may be our indignation against her, or our duty to ourselves, let us remember that public sentiment is not to be reached by threat or denunciation. Our Government depends for its execution on public sentiment. To that sentiment alone, in its calmer mood, are we to look for a restoration of a better feeling. When that feeling comes, it will be hailed like the sea-bird which visited the sea-tossed caraval of Columbus—as the harbinger of a firm-set footing beyond.

Other facts of a similar perilous character will soon transpire. Georgia, Texas, and Louisiana will assuredly follow the erratic course of South Carolina. This fact must soon be encountered. South Carolina has been singing her Marseillaise, and the waves of the Gulf make accordant music in the revolutionary anthem. It but echoes the abolition of the North and West; for scarcely had the song died away on the shores of Lake Erie, before South Carolina took it up with a wilder chorus! Extremes thus meet. Extremes north have aided, if not conspired, with extremes south, in the work of disintegration.

That work will go on. I know that we are very slow to believe in any sign of dissolution. We have faith in our luck. We have trust in a certain inventive faculty, which has never yet failed us, either in mechanical or political expedients. Our politics are plastic to emergencies. Still I must warn the people of Ohio that it is the well-grounded fear, almost the foregone conclusion of the patriotic statesmen here, that the work of breaking up will go on, until the entire South shall be arrayed against the entire North.

In view of these facts, I will discuss these propositions:

1. That secession is not a right in any possible relation in which it can be viewed; to tolerate it in theory or practice is moral treason to patriotism and good government.
2. That while it may not involve such direful consequences as other revolutions, still it is revolution.
3. That every effort of conciliation should be exhausted to check it, before force is applied.
4. That if the North does not do her part fully in recession from aggression, it will be impossible to unite the northern people, or any portion of the southern people, in repressing secession.
5. That if the South will make a patient endeavor, equal to the great occasion, to secure her rights in the Union, I believe that she will succeed; and if she is then repulsed, it will be impossible for her to receive any detriment from the North; but she will depart in peace.
6. If she go inconsiderately, as some States are going, the country may incur the fearful hazard of war.
7. If the South press the one hard over-mastering question upon the North, and follow it up with seizure of forts and revenue, cannonading of our vessels and other aggressive acts, without giving an opportunity for conciliation, there will be no power in the conservatism of the North to restrain the people. No sacrifice will be considered too great to make in the protection and defence of the Union.
8. That, in the present state of facts, so long as the revenues can be collected on land or sea, and the forts and harbors can be commanded by the Federal Government, that Government must be, as to these matters, the Government *de facto*, as well as *de jure*; and that so long as this *status* can be maintained by the Executive, it should be done by all the legal forces of the Government.
9. Only when revolution becomes so formidable as to be irresistible, would it be proper to inquire whether coercion would not be both suicidal to the Union and criminal to mankind.

I would not exaggerate the fearful consequences of dissolution. It is the

breaking up of a Federative Union; but it is not like the breaking up of society. It is not anarchy. A link may fall from the chain, and the link may still be perfect, though the chain have lost its length and its strength. In the uniformity of commercial regulations, in matters of war and peace, postal arrangements, foreign relations, coinage, copy-rights, tariff, and other Federal and national affairs, this great Government may be broken; but in most of the essential liberties and rights for which Government is the agent to establish and protect, the seceding State has no revolution, and the remaining States can have none. This arises from that refinement of our polity which makes the States the basis of our instituted order. Greece was broken by the Persian power; but her municipal institutions remained. Hungary has lost her national crown; but her home institutions remain. South Carolina may preserve her constituted domestic authority; but she must be content to glimmer obscurely remote, rather than eline and revolve in a constellated band. She even goes out by the ordinance of a so-called sovereign convention, content to lose, by her isolation, that youthful, vehement, exultant, progressive life, which is our NATIONALITY! She foregoes the hopes, the boasts, the flags, the music, all the emotions, all the traits, and all the energies, which, when combined in our United States, have won our victories in war and our miracles of national advancement. Her Governor, Colonel Pickens, in his inaugural, regretfully "looks back upon the inheritance South Carolina had in the common glories and triumphant power of this wonderful Confederacy, and fails to find language to express the feelings of the human heart as he turns from the contemplation." The ties of brotherhood, interests, lineage, and history, are all to be severed. No longer are we to salute a South Carolinian with the "*idem sententiam de republica*," which makes unity and nationality. What a *prestige* and glory are here dimmed and lost in the contaminated reason of man!

Can we realize it? Is it a masquerade, to last for a night, or a reality to be dealt with, with the world's rough passionate handling? It is sad and bad enough; but let us not overtax our anxieties about it as yet. It is not the sanguinary regimen of the French revolution; not the rule of assignats and guillotine; not the cry of "*Vivent les Rouges! A mort les gendarmes!*" but as yet, I hope I may say, the peaceful attempt to withdraw from the burdens and benefits of the Republic. Thus it is unlike every other revolution. Still it is revolution. It may, according as it is managed, involve consequences more terrific than any revolution since Government began.

If the Federal Government is to be maintained, its strength must not be frittered away by conceding the theory of secession. To concede secession as a right, is to make its pathway one of roses, and not of thorns. I would not make its pathway so easy. If the Government has any strength for its own preservation, the people demand it should be put forth in its civil and moral forces. Dealing, however, with a sensitive public sentiment, in which this strength reposes, it must not be rudely exercised. It should be the iron hand in a glove of velvet. Firmness should be allied with kindness. Power should assert its own prerogative, but in the name of law and love. If these elements are not thus blended in our policy, as the Executive purposes, our Government will prove either a garment of shreds or a coat of mail. We want neither.

Our forts have been seized; our property taken; our flag torn down; our laws defied; our jurisdiction denied; and, that worst phase of revolution, our ship sent under our flag to the relief of a soldier doing his duty, fired upon and refused an entrance at one of our own harbors. Would that were all! The President informs us, in his last message, that—

"In States which have not seceded, the forts, arsenals, and magazines of the United States have been seized. This is far the most serious step which has been taken since the commencement of the troubles. This public property has long been left without garrisons and troops for its protection, because no person doubted its security under the flag of the country in all the States of the Union. Besides, our small army has scarcely been sufficient to guard our remote frontiers against the Indian incursions. The seizure of this property, from all appearances, has been purely aggressive, and not in resistance to any attempt to coerce a State or States to remain in the Union."

All that the President has done is defensive; all that he has resisted has been aggression. He proposes no aggression; nor would I favor it. He would maintain the laws and property; what else can he do!

These facts have to be met—how! By the conquest of all the people of a State! By the declaration and wage of war! I answer, by the enforcement of the laws and the protection of our property in a constitutional manner.

This is the answer I have already voted in this House, in voting for the resolution of the gentleman from New Jersey. But is it asked, how will you enforce the laws and keep forts and property, without war? I will answer: first, repeal here every law making ports of entry at the recusant cities or towns; and thus avoid as much trouble as possible. That is in our power. Second. Libel and confiscate in admiralty every vessel which leaves such ports without the Federal clearance. Third. Collect the revenue and preserve the property, and only use such force as will maintain the defensive. But again it is asked, is not this coercion against a Government *de facto*, established by the consent of all the people of a State under an assumed legal right? I answer, South Carolina is not *de facto* the Government as to these Federal matters, so long as the Federal Government can hold her harbors, shut in her ships, and collect the revenue. Who can deny that proposition?

But still it is asked, will not the use of force in executing the laws, and preserving our property, result in civil war? Is there any practical difference between the enforcement of law when resisted by so large an aggressive power, and the actual state of war? Here is the Sphinx of our present anomalous situation. I do not choose now to say what I will do, in case a certain result follows the performance of present duty. It is enough for me now to do the duty of the present. But that judgment which makes no discrimination between the enforcement of the laws and defence of property, and the actual state of war, must be palsied by undue fear of consequences. There is nothing more plainly distinguished in the books and in experience, than the difference between the civil authority, and the war-making power. True, the military arm may be invoked to aid the civil authority, but it must be subordinate to it in many most essential particulars. It is then the sword of the magistrate, and not of the soldier. Says Chief Justice Taney, in the Rhode Island case:

"Unquestionably, a State may use its military power to put down an armed insurrection too strong to be controlled by the civil authority. The power is essential to the existence of every Government; essential to the preservation of order and free institutions; and is as necessary to the States of this Union, as to any other Government.—7 Howard, 45.

This Government has had insurrections, and has quelled them by the civil authority, with the aid of the militia, and without martial law. The Shay's rebellion and the western insurrection were put down by the *posse comitatus*. The writ of *habeas corpus* was not suspended by the United States. But, even in extreme cases, where the President may call out the militia to suppress actual array and violence, without a law of Congress authorizing it, the force was only to be used with a view to cause the laws to be duly executed. All arrests were made under civil authority. Trials were had as in civil cases. In Pennsylvania, in 1793, the expedition was not in its nature belligerent; but it was to assist the marshal. (7 Howard, 80 and 81.) Washington enjoined strictly the subordination of the military to the civil power, and went in person to see that his orders were obeyed.

The very genius and structure of our Constitution would forbid the making of war, in its sense of aggression, against any State of the Confederacy. But, unless the power to enforce reside somewhere in the Government, it is virtually no government at all. It wears a garment of shreds. If the force is of that irresponsible kind called war, the Government is then worse than a failure. It then wears a coat of mail. But if it have the force to maintain itself, and subordinate to itself the military which it may use in its defence, then it is a Government. It then wears the robe of State!

The time does not yet call for threats of coercion by martial or other means. It only calls for defence from those who are aggressive. I would reserve this power of coercion, as Prince Author did his diamond shield. He ever kept it out of sight covered with a veil, and only uncovered it to fight monsters and alien enemies.

I call this secession, revolution. I will not in an American Congress, with an oath on my conscience to support the Constitution, argue the right to secede. No such right can ever be had, except by amendment of the Constitution, legalizing such secession. It is a solecism to speak of the right of secession. It is revolution; and the burden of proof is on him who begins it, to show why he seeks the change. The combined reason of the ages has fixed in its maxims of thought, rules to govern the actions of men and nations, which no one can overrule without great criminality. These rules require first that revolution must have no light and transient cause. To overthrow a despotism, the causes

must be of grave weight. *A fortiori*, what must be the grievance to justify a revolt against a Government so free as ours! Besides, there must be a reasonable hope of a happy and successful termination. Otherwise history, with her judicial prescript, will ban those who begin it to an eternity of retribution.

There must be in every State some power to which all others yield, competent to meet every emergency. No nation can be consigned to anarchy by some absurd contrivance, either in the shape of personal liberty bills or secession ordinances. In America, we have a national Constitution. Under it, we have United States citizenship. To it we owe and swear allegiance. It may be a compact; but it is a government also. It may be a league; but it has authority, "operative," as Mr. Madison holds, "directly on the people." It may reach States as States; but it does more: it reaches the people of the States through its executive, judicial and legislative departments. If it cannot declare war against a State, it is because a State is a part of itself, and not, *quo ad hoc*, a foreign and independent State. Its constitution is the supreme law of the land; and though, as Chief Justice Marshall says, (1 Wheaton, 304,) "the sovereign power vested in the State government by their respective constitutions remain unaltered and unimpaired, yet they remain so, except so far as they were granted to the Government of the United States." I could cite Marshall, Jefferson, Madison, Jackson, Story, Duer, and Webster, almost every student, expounder, and executor of the Constitution, to show these conclusions to be irrefragable. It is an absurdity to contend that States, which voluntarily surrendered such portions of their sovereignties as were requisite for a national government, can be the equal in power of that national government. In the name of the people, the Constitution asserts its own supremacy and that of the laws made in pursuance thereof. It is supreme, by the consent of South Carolina herself, "over the constitution and laws of the several States." Let South Carolina, then, attempt, as she has by her ordinance, to annul her connection with this national system; does she not usurp a power of the General Government? Does she not infringe on the rights of Ohio? Is it not a plain violation of the permanent obligation she is under as one of its members? Nay, she not only breaks her oath of fealty to the United States Constitution, but she breaks her oath to her own constitution, which requires that oath.

Am I referred by members of my own party to our platform and principles indorsing the Kentucky and Virginia resolutions? Am I told that the sacred principles of State rights declared by Jefferson and Madison, as a check against the usurpations of a consolidated Federal Power, allow that each State may so judge of the infraction of the Constitution, and the means and measures of redress, that it may go out of the Union? These Virginia and Kentucky resolutions are misinterpreted. Judge Marshall, however federal his views, in a letter to Judge Story of July 31, 1833, (Story's Life and Letters, p. 135,) is an honest witness to this misinterpretation. He says:

"The word 'State rights,' as expounded by the resolutions of 1798 and the report of 1799, construed by our Legislature, has a charm against which all reasoning is vain. Those resolutions and that report constitute the creed of every politician who hopes to rise in Virginia; and to question them, or even to adopt the construction given by their author, is deemed political sacrilege."

This Government was intended to be perpetual. It was adopted *in toto*, and forever. Says Mr. Madison:

"The idea of reserving the right to withdraw was started, considered, and abandoned; worse than rejected."

Judge Marshall says:

"The instrument was not intended to provide merely for the exigencies of a few years, but was to endure through a long lapse of ages, the events of which were locked up in the inscrutable decrees of Providence."

It was, therefore, provided with means for its own amendment. By the Legislatures of three-fourths of the States, there is a means of amendment; and in that way alone can a State withdraw. Nullification and secession, said Mr. Madison, are twin heresies, and should be buried in the same grave. Well, said General Jackson, that secession did not break a league, but it destroyed the unity of a nation; hence, he argued that it is an offence against the whole Union. To say that a State may constitutionally secede, is to say that the constitutional elements were poisoned at the birth of the nation, and of malice prepense, were intended to kill our national life! Such reasoning overthrows all Government. It is to affirm that the tribunal appointed for the abatement of mooted questions under the Constitution, or that the means for its own

amendment, shall be set aside at the pleasure of one of the parties to be affected. Monstrous sophistry! Are gentlemen of the South aware that it is from this twin heresy that the Republicans have drawn their arguments for their personal liberty bills and for their repudiation of the fugitive slave law? The very chief justice of Ohio, so recently reindorsed for his seditious decision in the Oberlin fugitive case, bases his adjudication on the usurpations of the Federal Government. He, like South Carolina, denies that "the decisions of the usurping party, in favor of the validity of its own assumptions, can settle anything." (*Ex parte*, Buehnell, 9 Ohio State Reports, 227.) He warns against the "practical omnipotence of the Federal Government by making authoritative the judgment of its judicial tribunals." He sang the Marseillaise in his ermine from the supreme bench, as South Carolina sings it in her convention,

I would, therefore, guard against the least recognition of this right of secession, or of nullification, which is the lesser type of the same disease. It would, I say, destroy all government. It would dissolve the united mass of powers now deposited in the Union into thirty-three separate and conflicting States; each with a flag, a tariff, an army, a foreign policy, a diversity of interests, and an idiosyncrasy of ideas. Nay, that would be tolerable; but it would do more and worse. It would disintegrate States, counties, towns; tear cities from their places on the map; disorder finances, taxes, revenue, tariffs; and convert this fabric, now so fair and firm that it seems built on the earth's base, and pillared with the firmament, into a play-house of cards, built on a base of stubble. It would thus destroy the established order. And is such order among men, with a view to permanency, nothing? The North has rights, property, interests, relations in the South, not to be sundered without loss; and the South in the North, *vice versa*. Is this nothing? Is depreciation of property, depression of business, loss and lack of employment, withdrawal of capital, derangement of currency, increase of taxes, miscarriage of public works and enterprise, destruction of State credit, the loss of that national symmetry, geography, strength, name, honor, unity, and glory, which publicists tell us are themselves the creators and guardians of cash, credit and commerce—are these consequences nothing? Surely such a mass of complicated interests—the growth of years, clinging, with root and fiber, to the eternal rocks of public stability—cannot be uprooted without great struggle and stupendous crime.

I wish that I could contemplate secession as a peaceful remedy. But I cannot. I fear that it must be a forcible disruption. The Government is framed so compactly in all its parts, that to tear away one part, you tear the whole fabric asunder. It cannot be done by consent. There is no authority to give consent. The Constitution looks to no catastrophe of the kind. It is a voluntary, violent, and *ex parte* proceeding. A majority of the States, and a great majority of the people, are hostile to it. In this angry and warlike disruption of the compact, where shall we find our more perfect Union, the establishment of justice, domestic tranquillity, provision for the common defence, the promotion of the general welfare, and the security of the blessings of liberty to ourselves and posterity?

In this light, the ordinance of South Carolina becomes an offense; and in case a sufficient number of others followed, to the bankruptcy of the remainder, or the injury of any, it would be worse than an offence. In the cases of Texas and Florida, Louisiana and California, for which millions were paid, the inquiry would be made whether it would not be a fraud so colossal that neither language nor law can measure it.

Mr. REAGAN. I would ask the gentleman when a dollar has been paid for Texas!

Mr. COX. I cannot give way. My time is limited. Besides, the same question was asked in the Senate; and Judge DOUGLAS answered it. The country knows both question and answer. I proceed. If, then, South Carolina can dispense with an amendment of the Constitution to which she solemnly acceded on the 23d of May, 1788, cannot she dispense with other portions of that instrument; ay, even with this American Congress? The whole framework of our Government, by the action of separate States, may thus be swept away. This Congress may be dissolved, if not by the military usurpation which dissolved the Long Parliament, or expelled the Council of Five Hundred from the Orangery of St. Cloud, yet by the very impotence of its organism, as the Confederation dissolved under its imperfect articles, to give place to this more perfect Union!

What justification does South Carolina offer for this act? "Fifteen States," says her declaration, "have deliberately refused for years to fulfill their constitutional obligations." It refers to the fourth article of the Constitution for the specific cause of grievance. But is there not now, since the vote in this House the other day on the personal liberty bills, when the demands of returning public justice made even the sincere gentleman from Illinois (Mr. LOVEJOY) recede from his ultraism—a reasonable hope of curing these evils? Again: is there not the Supreme Court, as to whose fidelity no question is raised in the South? And are these peculiar wrongs remediless in that forum? The Governor of Kentucky has already arraigned the recreant executive of Ohio for his delinquency under a kindred constitutional clause. Why may you not exhaust your remedies in the courts before you raise the ensign of revolt? If you would have public opinion correct the errors of the North as to fugitives from justice and labor, already assurances come from all quarters that such remedy will be given. Republican Governors and Legislatures are beginning to recede from their aggressive acts. Already Ohio has begun this work of redress.

The fugitive slave law may be the ostensible reason for secession, or ancillary to the real grievance. Aside from certain economic reasons, which have ever impelled South Carolina, and which I will not now consider, the real grievance consists in the apprehension of slave insurrections and abolition, under the auspices of an Executive who, though not yet inaugurated, was elected on a principle of hostility to the social system of the South. Or, to give it the strongest statement, which I find in a pamphlet signed by the member from Arkansas, (Mr. HINDMAN.) "The Republican candidates were elected upon a platform destructive of our rights, branding our institutions as infamous, decreeing the equality of the negro with ourselves and our children, and dooming us, in the end, with murderous certainty, to all the horrors of insurrection and servile war." He holds: "that to imprison slavery forever in the State where it now exists, will, in time, overburthen the land with the predominating increase in the ratio of blacks to whites, until there will be a conflict for supremacy of races, and the blacks will be exterminated; or else the white man must abandon his country forever to the negro." I will grant the full force of this fear, though not the sufficiency of this or any mere fear, as a cause to justify revolution. The Union men of the North began to warn against the dawning of this dangerous geographical movement in 1856. They repeated then, and then not in vain, the farewell words of Washington. From every press and hustling which a Democrat could command, this evil day was prophesied. But we were Cassandras. Unbelieving men derided us as doughfaces, and sneered at us as Union-savers. The patriotic Choate, in one of his weird and wondrous prophecies, in 1855, with the pain of anxiety and fear upon his brow, put on record his deliberate and inextinguishable opposition to this geographical party. He regarded the contest then as the stupendous trial and peril of our national life. Admitting faults South and faults North, yet turning to the battle years of the Republic and its baptism of fire, he shrank aghast at the moral treason of attempting to weave and plait the two north wings of the old national parties into a single northern one, and cut the southern wing off altogether, as neither far-sighted nor safe, however new and bold. Let me give his statement of the complaint, for he stated it in advance as strongly as it can now be stated:

"To combine these parties thus against each other geographically—to take the whole vast range of the free States, lying together, sixteen out of thirty-one, seventeen millions out of five or six and twenty millions—the most populous, the strongest, the most advancing—and form them in battalion against the fewer numbers and slower growth and waning relative power on the other side, to bring this sectional majority under party drill and stimulus of pay and rations; to offer to it, as a party, the Government of our country; its most coveted honors; its largest salaries; all its sweets of patronage and place; to penetrate and fire so mighty and so compact a mass with the still more delicious idea that they are moving for human rights and the equality of man; to call out their clergy from the pulpit, the library, the bedside of the dying, the chair of the anxious inquirer, the hearth of the bereaved, to bless such a crusade, to be, in requisition every species of rhetoric and soporific to impress on the general mind, the subtle and impressive dogma that all men are born free and equal; and that such a geographical party is a well-adapted means to that end—does this strike you as altogether in the spirit of Washington and Franklin, and the preamble to the Constitution, and the Farewell Address? Does it strike you that if carried out it will prove to be a mere summer excursion to Moscow? Will there be no bivouac in the snow, no avenging winter hanging on retreat, no Leipzig, no Waterloo?"

But the avenging winter indeed came! God in his mercy forbid!

That crusade failed in 1856. What a risk we ran then! It succeeded in

1860. What a peril is now upon us! What a crusade it was which has produced it! I well remember that my own Republican competitor for this seat was quoted in the *Blackwood Magazine*, with Tory delight, over the anti-slavery revolution which he preached in this House in 1856, and which he would have ushered in with Bunker Hills, and other battle-fields of freedom.*

But admitting the source of this great peril to lie, in Republican ascendancy: still, I ask, is it remediless in the Union? Admitting all you claim of danger to your States from this sectional triumph; admitting that you are right in concerting for your own protection—yet is it right, fair, or just to rush forward, regardless alike of friends and foes, to a chasm where no guarantee can be asked or offered? Give us one more chance to appeal to the returning reason of the North, now that it is startled by the fulfillment of these prophecies and warnings. If you do not, what then? You will give to your enemies the advantage which belongs to you and to us. They are already eager to seize the legislative as well as the executive departments. They talk of reforming the Supreme Court for their purposes. They who have taught and practiced the breaches of civil discipline, are becoming the conservators of public order. On your retracy, they will flch from its old guard the ensign of the Constitution. Why, to break up this Government before a full hearing of the grievances, is to be worse even than Red Republicanism! Shall it be said that some of our friends of the South are worse than the Red Communists of France? So it would seem, and so I will proceed to prove.

Apprehension of evil! It was the argument of despotism in France in 1851. Louis Napoleon used it for his bad purposes; but the French Republicans denounced it. Let me draw the analogy.

In article forty-five of the French Constitution, it was enacted:

"Le President de la Republique est élu pour quatre ans, et n'est rééligible qu'après un intervalle de quatre années."—*Annuaire Historique*, 1848, *Appendix*, p. 48.

In article one hundred and ten, it was further enacted:

"Lorsque, dans la dernière année d'une Législature l'Assemblée nationale aura émis le vœu que la Constitution soit modifiée en tout ou en partie, il sera procédé à cette révision de la même manière."

"Le vœu exprimé par l'Assemblée ne sera converti en résolution définitive qu'après trois délibérations successives, prises chacune à un mois d'intervalle et au trois quarts des suffrages exprimés."

"Le nombre des votants ne pourra être moindre de cinq cents."

Thus, in 1848, Louis Napoleon was elected President for four years, the constitutional term. He was by the one hundred and tenth article, ineligible to a reelection except after an interval of four years. His term would have expired in May, 1852. The summer of 1851, in France, was signalized by vague apprehensions of a revolt, when the President should constitutionally go out. Under this apprehension the National Legislature were summoned to change the Constitution. It required three expressed ballots of the Assembly, taken at a month's interval, with three-fourths of the Assembly, and at least five hundred votes to be given, before that Constitution could be so changed as to continue Napoleon in power. Hereupon arose a parliamentary struggle, unequalled in any forum. It was before the giant intellects of France were exiled by the perfidy of its ruler. Here was a country like France, with sixty years of political vicissitude, wherein every tradition and compact had been violated; and yet even there, the Constitution of the new Republic was invested with such a sanctity, that it defied the majority of the Assembly to change it. The Lafayettes, the Hugos, the Lamartines, the African Generals, Lamoriciere, Changarnier, Cavaignac, Bedeau, and Leflo, struggled against this change, with an eloquence radiant with French fervor, and inspired with the genius of great deeds. Their President had sworn to be "faithful to the Democratic Republic, one and indivisible, and to fulfill the duties imposed by the Constitution." At length a vote was taken. There were 446 for the amendment; only 278 against it; a majority of 168; but not enough; not the required three-fourths! The

* "Speeches are made in which war to the death with Slavery is openly announced as the only remedy for the evil which they are threatened—"Let me say to you, my fellow-citizens," said the Hon. S. Galloway, of Ohio, at an immense gathering in New York, (in which, among the abolitionists, Thaddeus Hyatt figured,) "if the signs of the times are read correctly by me, there are yet to be other Concordes, Lexingtons, and Bunker hills. [Tremendous applause.] The crisis has come. Here are two antagonistic powers about to come in collision—freedom and slavery. The question is, which we shall receive? [Loud cries of 'freedom!'] Freedom, you say; then labor and fight, if need be, for it."—*Blackwood*, July, 1856, page 115.

crafty President, finding he could not change the Constitution in the constitutional manner, began to ply the popular will for his purposes. The *Conseils Généraux* demanded, and two million people petitioned for the change. But the Republicans, moderate and red, stood their ground. Even Proudhon, blood-red Communist, from his prison of St. Pelagie, wrote Girardin that universal suffrage would not be price enough for such a breach of the Constitution. The great question was referred to a committee, of which De Toequeville was chairman. He, too, withstood the pressure of power. The will of the minority, for whose protection constitutions are made, became, through the constituted mode of amendment, the will of the majority; nay, of the State. Just as nine States in this Union hold our Constitution in *statu quo*, against the will of the remainder. These loyal Frenchmen appealed to the nation, against the adherents of the Bourbon, Orleans, and Bonaparte. "No," they said, "we will not give up the repose of France, at the price of quieting apprehension of future revolt." They thus confined the enemies of the Republic to the circle of the Constitution, from which they could not break without crime. They declared that the prolongation of the term of Napoleon was a crime, impious and parricidal. When it was said that Napoleon would override the Constitution with force in 1852, if not before, they answered: "Such a crisis will be revolution, arising from a violation of the fundamental compact. In that case we declare that, enveloped in the flag of France, we will do the duty which the salvation of the Republic imposes!"

On the other hand, it was urged, as it is here urged, that if the Constitution was not broken, there would be dangers more fatal. By a fore-knowledge of disaster, it was urged that the end of Napoleon's term must be a convulsion, which the Assembly, acting on an apprehension, ought to bind in advance. To save him from perjury, a majority of the Assembly were willing to commit it themselves. So now, according to my theory, South Carolina would break the Constitution and her oath of fealty, in apprehension of an aggression which the President elect, even if he would, has no power to commit.

The summer of 1851 passed in France. Again and again had the minority of the Assembly rescued the Constitution from civil dethronement. They triumphed in the forum of reason. But stay! In a night—in the midst of the debates of the Assembly—on that fatal December night, the usurper seized the reins of power, and like a thief, by a nocturnal surprise, he silenced every voice but his own, muzzled the press, struck down the Assembly, transported its leaders without judgment, made his Senate of mock Dukes, and surrounded himself with the bastards of his race. He illustrated the glory of a reign based on nullification, force, perjury, and fraud! And is this the banquet to which the American people is invited, by those among us who hate Red Republicans even worse than black? Let the American freeman from this example remember this lesson: If political compacts like our Constitution be broken, the limits of authority are effaced. Right succumbs to force. It signifies little whether such acts are done by Executive usurpation, military compression, congressional action, or State secession; the Government is gone! States which will not keep inviolate the fixed principles of constitutional right, repudiate their own strength, assassinate their own life, tarnish their own glory, and will receive and deserve the ill-starred fate of France! In whatever form these infractions may come, history has but one answer for their effect. When law is defied successfully, division will come armed with tenfold terror. Force will be arrayed against force. The brute rules and reason dies. If not resisted, there is but one alternative: yokes of wood instead of cords of silk, and yokes of iron instead of yokes of wood. The red specter of revolution, or the gentler movements of acquiescent infraction of the organic law. There is but one step from the Capitol to the Tarpeian rock. After centuries of brave struggle, thus France lost the Republic. What shall we say of America, with her seventy years crowded with the trophies of her success and greatness? Read the prophetic warning of Judge Story (vol. 2, p. 138, of his *Life and Letters*) in his introduction to his *Commentaries on the Constitution*:

"The influence of the disturbing causes which, more than once in the Convention, were on the point of breaking up the Union, have since immeasurably increased in concentration and vigor. The very inequalities of a Government, confessedly founded on a compromise, were then felt with a strong sensibility; and every new source of discontent, whether accidental or permanent, has since added increased activity to the painful sense of these inequalities. The North cannot but perceive that it has yielded to the South a superiority of representatives, already amounting to twenty-five, beyond its due proportion; and the South imagines that,

with all this preponderance in representation, the other parts of the Union enjoy a more perfect protection of their interests than her own. The West feels her growing power and weight in the Union, and the Atlantic States begin to learn that the scepter must one day depart from them. If, under these circumstances, the Union should once be broken up, it is impossible that a new Constitution should ever be formed embracing the whole territory. We shall be divided into several nations or confederacies, rivals in power and interest, too proud to brook injury, and too close to make retaliation distant or ineffectual. Our very animosities will, like those of all other kindred nations, become more deadly, because our lineage, laws, and language are the same. Let the history of the Grecian and Italian Republics warn us of our dangers. The national Constitution is our last and our only security. United we stand, divided we fall.*

Ah! it is easier to commit than to justify such a parricide! But to justify it on an apprehension, is neither courageous nor safe. Let South Carolina beware! God is just and history inexorable. In leaving the ensign of the stars and stripes, she will find no repose beneath her little palm. It is from Augustus to Augustulus. Her only renown and strength are in the clustered States—the *bundestaat*, as the Germans term it—not in selfish, unfraternal, and hostile loneliness. When she unbinds the bonds of the Constitution, she opens her peace to the chances of that dark future, so vividly anticipated by the gentleman from Arkansas.

I do not say that I would vote means and money to repress her revolution. But am I not bound by my oath to support the Constitution of the United and not of the dis-United States? If I do not do my part to carry on this Government, and to enforce its laws, have I any business here? Neither can I withhold my respect from Magistrates because they are not my choice. Private opinions must give place to public authority. The election of Abraham Lincoln, under the forms of the Constitution, however deplorable, cannot be questioned with argument or arms. Judge DOUGLAS exhausted the argument in his reply to the Norfolk questions; and I have no such poor opinion of any portion of our people as to believe that they will question it with arms. South Carolina herself participated in this election, giving her voice for her favorite. When, therefore, she would ignore this election, and break the established order for this and other unjustifiable causes, she runs a fearful risk. Her destiny becomes a raffle. Insurrection of her slaves will then only become a question of opportunity. The slave trade will not help, only hasten and aggravate her ills. Perhaps, in the eye of Providence, it was her wisest act, when she yielded her assent to that Federal covenant which was and is a restraint against herself and her slaves and for herself and her safety. That assent, and that covenant were the highest expression of the popular will; for they were the voice of the majority, which Jefferson called the vital principle of Republics, and from which there is no appeal but to force—the vital principle and immediate parent of despotism.

Before risking such chances, cannot the South await the returning justice of the North? Unless disunion be determined upon in spite of every effort at harmony, I do not see why, after having so long acquiesced in the breach of the fourth article of the Constitution, any State should go out upon that ground, even though, as Mr. Webster held, its breach be treason. And as for the North, so long as the Federal laws remain unbroken, and no serious detriment to the public property and peace is threatened, cannot she, too, tolerate these heated appeals, rebellious ordinances, and too careless handling of gunpowder at Point Morris, with equanimity, for the chance only of the rehabilitation of the seceding States? At least, until the North repeal their nullification laws, would not such equanimity be magnanimity? Let the South desist from further attempts to obstruct the collection of the Federal revenues and despoil

* Charles Cotesworth Pinckney, on the 17th January, 1788, in the debates in the South Carolina Convention, on the adoption of the Federal Constitution, said: "We are so weak that, by ourselves, we could not form an union strong enough for the purpose of effectually protecting each other. Without union with the other States, South Carolina must soon fall. Is there any one among us so much of a Quixotte as to suppose that this State could long maintain her independence if she stood alone, or was only connected with the other southern States." *Elliot's State Convention Debates*, vol. 4, p. 275.

The same statesman, on page 290, in paying a compliment to the Declaration of Independence, says: "The separate independence and individual sovereignty of the several States were never thought of by the enlightened band of patriots who framed this declaration. The several States are not even mentioned by name in any part of it, as if it was intended to impress the maxim in America, that our freedom and independence arose from our union, and that, without it, we could neither be free nor independent; let us then consider all attempts to weaken this Union, by maintaining that each State is separately and individually independent, as a species of political heresy which can never benefit us, but may bring on us the most serious distresses."

the property of the Government; let there be no attempt to exclude the people North and West from this Federal District and Capitol, and no attempt to shut us who are inland from the Gulf or sea; and then what occasion is there likely to arise in which the North will dare take up arms to shoot or bayonet southern citizens into the Union, which they only leave, we may hope, constructively?

If, as Mr. DOUGLAS argued, war is disunion, cannot we, who love it so well, afford to be patient for the Union?

But what a danger is here! Once let the fealty to this Government be broken, and who can restrain the excesses incident thereto? If such excesses be committed, there would be aroused a martial spirit which, in rushing to the defence of Major Anderson and his men in Fort Sumter, or to avenge their death, would do and dare all in the name of our Great Republic. Touch not a hair of his head! He is sacred to-day. He embodies the patriotism of millions. Accident has made him the defender of that flag which has floated from Bunker Hill to Mexico. His death would open a gulf in which the people would pour, in vengeance and in vain, their treasures and their children.

Or if a confederation South propose to control the mouths of the Mississippi and its banks, do you believe it could be done without a protest of arms? Do you know the history of that acquisition, and its vital necessity to the Northwest? I hope you have listened to the able recital of my friend from Illinois (Mr. McCLELLAND) touching these points. It would seem, from the news we have to-day, that a system of espionage and detention by force has already been begun in Mississippi, upon steamers from the North. That mighty river, of two thousand miles extent, one of whose tributaries doubles the parent stream in its length, with its \$60,000,000 worth of steamers, doing the business of twelve States, with an area of one million two hundred thousand square miles drained by its waters—from the snows and timbers of the North to the sun and blooms of the South—will ever remain in the Union! It was the necessity for its use and outlet which, in part, called for the Constitution seventy-five years ago. As the veteran General Cass told me, the sparse population in my own State, of which he was one, were even then ready to rise in arms, in consequence of a provisional treaty with Spain, which did not adequately provide for the coveted riparian privileges. And now, after a usufruct of three quarters of a century, not only the commerce, the honor, and the rights of the West, but the protesting voices of nature, calling from valley and hill, in summer rains, in gold washing streams and smiling cultivation; nay, progress itself, which is the life of the West—which has made it deserve the poet's phrase, applied to ancient Latium, *ubere glebae, atque potens armis*—progress, which is the stride of a god across the continent—all these agencies would conspire to redder the Mississippi to float our unequalled produce between its banks to the sea! It is industry which would thus decree; and it would execute its own edict. With us, not gold, nor cotton, but INDUSTRY is king! However homely its attire, it wears the spiritual purple, and on its brow the coronal of bearded grain, imperaled with the priceless sweat of independence. It will stretch its scepter from THE RIVER unto the ends of the earth! Neither imposts, nor tariffs, nor obstructions, nor foreign control, nor hazard of foreign war, can hedge in its empire. These rights of transit and outlet are ours by use, by purchase, by possession; and ours they will remain.

Leaving these elements of strife unstirred, the secession movement may vanish into a foolish dream—a spectre of the night, which will depart when the dawn shall again environ us in the cycle of its felicities!

But, as to these vague apprehensions of aggressions from the President elect. Would it not be best to await his entrance into power? What overt act has he yet done, or his party, in a *Federal* way? If you resist now, it should be against the States whose legislation is hostile; not against the General Government, which has done you no wrong. When that overt act is done which you fear, you will find the northern Democracy ready to join you in the defence of your rights and the vindication of your equality of privilege.

Will southern statesmen look a few facts in the face, not with that dumb gaze which deadens the will and paralyzes the intellect, but with that large roundabout common sense which distinguished her early statesmen? Is not Mr. Lincoln powerless for harm? Elected by about two million out of five million votes, he is in a minority of a million. That minority diminishes with every hour of northern misery, want, and bankruptcy. In that million there are antagonizing elements, without power morally or politically. More than

half of that million will show a feeling of fraternity, which no partisanship can overwhelm. They will unite with that gallant band of Democrats and Americans in the North, who have ever warned and worked against the impending catastrophe. They will stand in the next Senate and House as a bulwark against the further advances of sectionalism. In my own State there are two hundred thousand patriots already as a nucleus for this great party of Union and justice.

These men, sir, will welcome any honorable settlement. For myself, I have a preference. I would prefer Judge DOUGLAS' propositions even to the border State *project*. But I will vote for either, for they answer every reasonable demand with respect to the fugitive slave law, slavery in this District, and on other points. In reference to the Territories, the border project provides:

"That the line of thirty-six degrees thirty minutes shall be run through all the existing territory of the United States; that in all north of that line slavery shall be prohibited, and that, south of that line, neither Congress nor the Territorial Legislature shall hereafter pass any law abolishing, prohibiting, or in any manner interfering with African slavery, and that, when any Territory containing a sufficient population for one member of Congress in any area of sixty thousand square miles, shall apply for admission as a State, it shall be admitted, with or without slavery, as its constitution may determine."

But, if this will not answer, let the proposition of Mr. DOUGLAS or Mr. RICE be adopted. Nay, further, if it be the only alternative to preserve this Union, I would vote for the proposition of Mr. CRITTENDEN. Much as I dislike, in this age of progress, an irrevocable law, still I would write it in the Constitution, if thus only you can preserve that instrument. It provides for an irrevocable division of the territory. The President says of it:

"The proposition to compromise, by letting the North have exclusive control of the territory above a certain line, and giving southern institutions protection below that line, ought to receive universal approbation. In itself, indeed, it may not be entirely satisfactory; but when the alternative is between a reasonable concession on both sides, and the destruction of the Union, it is an imputation on the patriotism of Congress to assert that its members will hesitate for a moment."

Shall this appeal for compromise be ineffectual? It may be a sacrifice of northern sentiment. But, sir, the conservative men will sacrifice much for the Union. Sacrifice and compromise are convertible terms. They are words of honorable import. The one gave us Calvary, the other the Constitution. Nothing worth having was ever gained without them. Even the father compromised with the prodigal son, despite the meanness of the elder brother. He saw him afar off, ran to him, and, with the evidences of affection, restored him to his heirship and honor. Sacrifice for our political salvation! Heaven will smile upon it. The dove of peace will rest upon it. If the Republicans will only lend us a few of their conservative votes in this House, we will do our part to make compromise honorable. If you dislike the word compromise, and are content with the offices and power it will insure you, very well. You may bear away the booty, we will carry the banner! We will not quarrel, nor need we taunt each other. You may enjoy the honors and patronage of administration; to us will belong the laureled crown of the revolution, and the civic wreath of the great convention!

Our southern friends do not know the Republicans as we do. They will be content with the tricks, and, I trust, allow us the honors. They will be as harmless in office as most men are. When GEN. WILSON talks of grinding the slave power to powder, he never intends to use the powder, only to enjoy the power. (Laughter.) When the gentleman from Illinois (Mr. LOVEJOY) would speak to the God of battles, he is only praying to an unknown God. (Renewed laughter.) When Senator WADE, at Belfast, Maine, four years ago, proclaimed that there was no Union, that the pretended Union was meretricious: and when he proposed to drive "slavery back to her own dark dominions, and there to let her rot, and damn all who foster her," he was only illustrating that Christian sweetness of temper and fragrance of sentiment which now is offered up as incense on the only altar he knows—that of a meretricious Union, whose shew-bread he would eat and whose precious emblems he would plunder! The John Brown and Harper characteristics are convenient garments among them, to be put on to proselyte the churches and the old women, and to be put off to placate wide-awakes and old Whigs. They do this for office. They do not think of its effect upon the South. It is a trick to be ignored when in office. These defiant men at home will become sucking doves in power. It is not instinct to fight over provender. If the South could understand them, and not take them at their word too rashly.

It is said that the reason why the South opposes the rule of Republicanism is, that their tenets are misrepresented at the South. I will not now show you what they profess at home. I hope they will fully disavow, under the composing sweets of fat jobs and offices, their bad acts and worse avowals when out of office. And is there not reason for hope? Patience! already they are willing to forego their congressional provisos against slavery. They have already proposed to drop intervention by Congress. They are willing to accept New Mexico as a slave State. Courage, gentlemen! I do not taunt, I applaud, this spirit of conciliation. The Republican party would enjoy its power. In this it is not peculiar, perhaps. It is a way men and parties have. It will remember that to retain power—in the matter of personal liberty bills, non-delivery of criminals, judicial decisions, and other aggressions on the Constitution, these wrongs cannot stand. It is as revolutionary to try to keep such things as they are, as it is to upset the Government because of them. There is nothing so convulsive or unnatural as the strain to keep wrong in the ascendant. Mr. Lincoln in the White House may not be the rail-splitter out of it. Abraham, in faith, may offer up his "irrepressible" offspring. (Laughter.) He will be a conservative, with a total oblivion of the radical. The one will "conflict" with the other; and the former will become all one thing, without the other. I think he will disappoint the South as much as he will the abolition wing of his party. In their SUMMER speeches and in their abolition platforms, it would seem as if the Republicans would hold this Union together by the running noose of John Brown gibbets; but when they approach the august presence of power, and undertake to rule thirty-one millions of people, as already demonstrated here, they hold up the fasces of the Republic and wonder why we ever misunderstood or misrepresented their innocence!

Their success is the result of passionate appeals. Passion soon subsides. This is the old and avowed means of the anti-slavery party. It began in England, as you will see by the London Times of November 3, 1832, when hired orators went over Britain, under pay of an anti-slavery propagandism. It was then said that George Thompson, who was sent to this country as its apostle, was "the very lecturer we want, because his lectures are addressed to the passions. We are so satisfied of the goodness of our cause, that we do not want to consult the reason or judgment of the people. If they vote for us, we do not care whether their votes come through their passions or not." This brute appeal to the passions succeeded in England, as her ruined West Indies testify; for philanthropy there is great in proportion to its distance from its object. But here the sense of a brotherly people will reprehend such appeals. They see the African here in his relation of servitude. They know what he becomes in the North when free. They know that it is impossible to manumit him without injury irreparable to white and black. They will not sacrifice this Government of thirty-one million whites to do no good to three and a half million blacks. Even many of those who oppose slavery, find in it the relation which the eagle and the lamb sustained in the air. It might have been wrong for the eagle to have seized the lamb. The eagle, while holding it, may return to a consciousness of the wrong he is doing; but it does not follow that he should let it drop from his talons to the earth. It seems impossible for any one to view the philosophy of Republican principles, and not revolt in sober reason from its inevitable and suicidal results. There is hope that it will be as timid in power as it is destructive in principle. Heaven will smile on such timidity. Nay, it will cease to be such, if prompted by an honest desire to establish justice by the retraction of wrong. It will become moral courage.

When Mr. Giddings writes to Mr. Ewing, that none but cowards, none but unvirile minions of the slave power, like himself, are afraid of dissolution, he begins to show the impotence of a rage at a fracture already begun in the party he originated. The Republican party, it is to be hoped, under the lead of Bates, Raymond, Corwin, Ewing, Weed, ay, and Seward and Lincoln also, will drown the Giddings crew, even if they have to scuttle their own party ship, and go down with it.

Time, patience, fidelity to your old and tried friends, gentlemen of the South, and all will be well! Let us exhaust every effort at an accommodation. Protest if you will; secede in your harmless way if you are so impelled; but do not make an aggression upon the laws of the Union until in a last resort, when your northern friends can sustain you and history will justify you.

There is wisdom in the letter of George Washington, of July 27, 1798, accept-

ing the command in chief, in the threatened war against the French directory. Said he :

"Satisfied that you have sincerely endeavored to avert war, and exhausted to the last drop the cup of reconciliation, we can, with pure hearts, appeal to Heaven for the justice of our cause."

When you have drained the cup of reconciliation dry and have not justice, you will find a majority of northern men ready to fight your battle on our ground. Never, never will the Democrats of Ohio, so long as their Republican governors, legislators, and judges, do not retrace their steps and do justice to the Constitution which they have annulled; never will these Democrats, the best, I will not say the *only* fighting element of Ohio, thrust Republican wrongs down the throats of the South at the point of the bayonet! Am I answered that no such wrongs exist? If there be an Ohio Republican on this floor who so answers, I throw down the glove and will lift the veil from the spotted leprosy of our Republican rule. I will not sit here in silent acquiescence of the disgraceful conduct of my own State. I have no State pride in the action of our legislative, judicial, and executive officers. Let the supporters of Brinkerhoff, Sutliff, Dennison, and their companions, take up the glove! If they would call South Carolina to account, let them first remove the beam from their own eye. They never can, while spotted with moral treason and guilty of deliberate nullification, make Ohio Democrats the tools of their vengeance, never—never! When they denounce the mad precipitancy of the South, let them remove its cause! I know and ponder what I say. You will have justice if you will have patience and permit reconciliation; and if you do not get it then, after a fair trial, you will have immunity from northern attack.

Whatever the legal powers of the Federal Government may be, they derive all their efficiency from the popular will. The Constitution gives the Government force to execute the law; but it is a force, after all, which resides in the people, and which they will withhold in an unjust cause. We have no Army to execute the edict of Republican injustice. Our bayonets think. We have in the West, beneath a sheathen roughness, a keen sabre ready to flash in defence of the Union to which our people owe so much, and which is the best beloved of their heart. And if no time be left for conciliation; if you of the South desert your friends and the Union to their fate; if you leave to be decided but the one great overmastering problem, Union or disunion; if in the presence of this hard solitary question, they are left to decide it, and peril come from their decision, which conservative men cannot avert, there will ring out from the yearning patriotic heart of the mighty West, it may be in agony and despair: the Union, now and forever, one and indivisible—it must and shall be preserved!

I warn the Republican party that they will need the aid of the patriotic men of the North to sustain their Executive. This revolution is reserving its more effectual overt acts for Republican rule. What then? It will have become strong by cooperation. No Republican Administration can enforce the law, unless the Republican State authorities first place themselves right before the people, and reconstruct the moral bases of their Governments. By the 4th of March, South Carolina will have the Gulf States united. It will appeal to that economic law which is stronger than sentiment. By its appeal to the interests of the cotton States it will succeed in securing cooperation.

Before we enter upon a career of force, let us exhaust every effort at peace. Let us seek to excite love in others by the signs of love in ourselves. Let there be no needless provocation and strife. Let every reasonable attempt at compromise be considered. Otherwise we have a terrible alternative. War, in this age and in this country, sir, should be the *ultima ratio*. Indeed, it may well be questioned whether there is any reason in it or for it. What a war! Endless in its hate, without truce and without mercy. If it ended ever, it would only be after a fearful struggle; and then with a heritage of hate which would forever forbid harmony. Henry Clay forewarned us of such a war. His picture of its consequences I recall in his own language:

"I will not attempt to describe scenes which now happily lie concealed from our view. Abolitionists themselves would shrink back in dismay and horror at the contemplation of desolated fields, conflagrated cities, murdered inhabitants, and the overthrow of the fairest fabric of human government that ever rose to animate the hopes of civilized man. Nor should the Abolitionists flatter themselves that, if they can succeed in their object of uniting the people of the free States, they will enter the contest with numerical superiority that must insure victory. All history and experience prove the hazard and uncertainty of war. And we are admonished by Holy Writ that the race is not to the swift, nor the battle to the strong.

"But if they were to conquer, whom would they conquer? A foreign foe—one who had assaulted our flag, invaded our shores, and laid our country waste? No, sir; no. It would be a conquest without laurels, without glory—a self, a suicidal conquest—a conquest of brothers over brothers, achieved by one over another portion of the descendants of common ancestors, who nobly pledging their lives, their fortunes, and their sacred honor, had fought and bled, side by side, in many a hard battle on land and ocean, secured our country from the British crown, and established our national independence."

Such a war is the almost unavoidable result of a dissolution of this Confederacy. Mr. Madison (No. 61, Federalist) urged as a reason for the Union, that it destroyed every pretext for a military establishment; "but its dissolution," said he, "will be the date of a new order of things. Fear and ambition would make America copy Europe, and present liberty everywhere crushed between standing armies and perpetual taxes." He augured for a disunited America a worse condition than that of Europe. Would it not be so? Small States and great States; new States and old States; slave States and free States; Atlantic States and Pacific States; gold and silver States; iron and copper States; grain States and lumber States; river States and lake States; all having varied interests and advantages, would seek superiority in armed strength. Pride, animosity, and glory, would inspire every movement. God shield our country from such a fulfillment of the prophecy of the revered founders of the Union. Our struggle would be no short, sharp struggle. Law, and even religion herself, would become false to their divine purpose. Their voice would no longer be the voice of God, but of his enemy. Poverty, ignorance, oppression, and its handmaid, cowardice, breaking out into merciless cruelty; slaves false; freemen slaves, and society itself poisoned at the cradle and dishonored at the grave—its life, now so full of blessings, would be gone with the life of a fraternal and united Statehood. What sacrifice is too great to prevent such a calamity? Is such a picture overdrawn? Already its outlines appear. What means the inaugural of Governor Pickens, when he says, "from the position we may occupy towards the northern States, as well as from our own internal structure of society, the government may, from necessity, become strongly military in its organization?" What means the minute-men of Governor Wise? What the southern boast that they have a rifle or shot-gun to each family? What means the Pittsburg mob? What this slavery to save Forts Moultrie and Pinckney? What means the boast of the southern men of being the best armed people in the world, not counting the two hundred thousand stand of United States arms stored in southern arsenals? Already Georgia has her arsenals, with eighty thousand muskets! What mean these lavish grants of money by southern Legislatures to buy more arms? What mean these rumors of arms and force on the Mississippi? These few facts have already verified the prophecy of Madison as to a disunited Republic.

Mr. Speaker, he alone is just to his country; he alone has a mind unwarped by section, and a memory unparalyzed by fear, who warns against precipitancy. He who could hurry this nation to the rash wager of battle, is not fit to hold the seat of legislation. What can justify the breaking up of our institutions into belligerent fractions? Better this marble Capitol were leveled to the dust; better were this Congress struck dead in its deliberations; better an immolation of every ambition and passion which here have met to shake the foundations of society, than the hazard of these consequences!

As yet, I do not believe that the defensive conduct of the Executive involves these consequences. Nay, I hope that firmness in resisting aggression, with the kindness which he has endeavored to show, may do much to avert them. Certainly weakness and indecision now will not avail to check the rising tide of public sentiment, and preserve the public peace.

I agree with much that my friends from Illinois, (Mr. McCLENNAND,) New-York, (Mr. SICKLES,) and Ohio, (Mr. VALLANDIGHAM,) have said as to the interests, dignity, and rights of their own sections. I will not now go into any calculation or contemplation about the results of a dismemberance of this Union. Long may it be averted—that picture of Ohio, as the narrow isthmus between a broken East and a divided West, with a hostile southern border! Long may it be averted—that sad picture of New York, a great free emporium, trading to all the world, and closed against the interchange of her own inland! We have gloom enough without these new schemes of division. I invoke the better spirit of him who never spake so truly prophetic as a statesman, as when he combined in his speaking the great truths of a comprehensive political economy—as when Washington said:

"In contemplating the causes which may disturb our Union, it occurs as a matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations, northern and southern, Atlantic and western, whence designing men may endeavor to incite a belief that there is a real difference of local interests and views. You cannot shield yourselves too much against the jealousies and heart-burnings which spring from these misrepresentations. They tend to render alien to each other those who ought to be bound together by fraternal affection."

In these days of anticipated trouble, when financial disaster tracks the step of political infidelity; when the violation of compact is followed close by the intemperate zealotry of revolution; when even the property of our Union is seized, and our flag is torn down under its impulses; when, as if premonitory of some great sacrifice, the veil of our political temple seems rent, and the earth about us quakes, and the very graves give up their dead, who comes forth to warn, beseech, advise, and moderate, in this hour of our country's deepest gloom and peril, let us heed with an all-embracing and all-comprising patriotism, the warning of Washington, whose voice, though he be dead, yet speaketh from yonder tomb at Mount Vernon, and whose august presence I would summon here as the PRESERVER of that country whose greatest pride it is to hail him as its FATHER!

In his sacred name, and on behalf of a people who have ever heeded his warning, and never wavered in the just defence of the South as of the North, I appeal to southern men who contemplate a step so fraught with hazard and strife, to pause. Clouds are about us! There is lightning in their frown! Cannot we direct it harmlessly to the earth? The morning and evening prayer of the people I speak for in such weakness, rises in strength to that Supreme Ruler who, in noticing the fall of a sparrow, cannot disregard the fall of a nation, that our States may continue to be—as they have been—one; one in the unreserve of a mingled national being; One as the thought of God is One!

[Here Mr. Cox's hour expired; but, by unanimous consent of the House, he was allowed to go on and conclude his remarks.]

These emblems above us, in their canopy of beauty, each displaying the symbol of State interest, State pride, and State sovereignty, let not one of them be dimmed by the rude breath of passion, or effaced by the ruder stroke of enmity. They all shine, like stars, differing in glory, in their many-hued splendors, by the light of the same orb, even as our States receive their luster from the Union, which irradiates and glorifies each and all.

Our aspirations and hopes center in the proud title of American citizen. Whether we hail from the land of granite or the everglade of flowers; from the teeming bosom of the West, the sea-washed shore of the East, or the gold-bearing sierras of the Pacific slope—all are imbound by the same rigol of American patriotism. Abroad, at home, in palace or in cabin, in ship or on land, we rejoice in that proud distinction of American citizen. We look upon our nationality as the actual of that ideal described by Edmund Burke in a strain of finished eloquence and sublimest philosophy—as something better than a partnership in a trade, to be taken up for a temporary interest and dissolved at the fancy of the parties. We look upon it with other reverence, because it is not a partnership in things subservient only to a gross animal existence of a perishable nature. It is a partnership in all science; a partnership in all art; a partnership in every virtue and in all perfection. As the ends of such a partnership cannot be obtained in many generations, it becomes a partnership not only between those who are living, but between those who are living, those who are dead, and those who are to be born. Each contract of each State is but a clause in the great primeval contract of ETERNAL SOCIETY, linking the lower with the higher natures, connecting the visible with the invisible world, according to a fixed compact, sanctioned by the inviolable oath which holds all physical, all moral natures each in their appointed place.

Thus, regarding our NATIONALITY as more than a life, as the association of many lives in one, as an immortality rather than a life, the people of this country will cling to it with a tenacity of purpose and energy of will as to the very cross of their temporal salvation, and revere it as the impersonation of their sovereign upon earth, whose throne is this goodly land, and whose mighty minstrel, ever playing before it, is the voice of an intelligent, happy, and free people!